

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PAULETTO ROGERS,

Plaintiff,

v.

Case No. 4:15-cv-13940

District Judge Terrence G. Berg

Magistrate Judge Anthony P. Patti

MARK ALDRITCH, *et al.*,

Defendants.

**ORDER GRANTING DEFENDANT MARK ALDRICH'S MOTION TO
STAY DISCOVERY AND FOR LEAVE TO FILE MORE THAN ONE
MOTION FOR SUMMARY JUDGMENT (DE 16)**

Defendant Mark Aldrich filed a motion to stay discovery and for leave to file more than one motion for summary judgment on March 31, 2016. (DE 16.)¹ This matter was referred to me on July 14, 2016 under 28 U.S.C. § 636(b)(1)(A). (DE 21.)

Pursuant to the Eastern District of Michigan Local Rules, any response in opposition must have been filed within 14 days after service of the motion. E.D. Mich. LR 7.1(e)(2)(B). Plaintiff's response, therefore, was due on or before Friday, April 15, 2016. To date, no response has been filed. Although Plaintiff is

¹ Judge Berg issued a scheduling order on February 9, 2016 setting forth the relevant deadlines. (DE 14.) Notably, the discovery cutoff was set for July 11, 2016 and the dispositive motion deadline is August 22, 2016.

proceeding without the assistance of counsel, he is still required to follow the Court rules with respect to deadlines, as no supplemental scheduling order was issued in this matter. Accordingly, Defendants' motion will be considered unopposed.

Plaintiff brings this action asserting that Defendant Aldrich stopped his vehicle unlawfully on the basis of his race and illegally extended the length of the routine traffic stop. (DE 1.) He also names the City of Bellville Police Department as a Defendant in this action.

In the instant motion, Defendant Aldrich asks the Court to stay all dates in the case management order pending the Court's disposition of a motion for summary judgment asserting qualified immunity as a defense, which was filed on July 21, 2016. (DE 23.)² In the event the motion is unsuccessful, Defendant Aldrich seeks leave to file more than one motion for summary judgment in this action. The Court has reviewed Defendant's motion and the relevant case law, and agrees that a stay would be appropriate in this matter and that Defendant is entitled to file more than one motion for summary judgment if his motion based on qualified immunity is unsuccessful. Accordingly, Defendants' motion is **GRANTED** as unopposed. (DE 16.) A renewed scheduling order will be entered,

² Although the instant motion to stay was filed only on behalf of Defendant Aldrich, the later filed motion for summary judgment was filed on behalf of all Defendants in this action.

if necessary, after the Court's disposition of the motion for summary judgment based on qualified immunity.

IT IS SO ORDERED.

Dated: July 22, 2016

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on July 22, 2016, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti